

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|--|---|---|
| DAVID CARL IMHOFF, |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Civil Action No. 14-44 |
| |) | Judge Nora Barry Fischer/ |
| JOHN TEMAS, <i>Warden, Washington</i> |) | Chief Magistrate Judge Maureen P. Kelly |
| <i>County Jail</i> ; DEPUTY WARDEN |) | |
| STRAWN, <i>Washington County Jail</i> ; |) | |
| CAPTAIN MICHAEL KING, <i>Washington</i> |) | |
| <i>County Jail</i> ; SGT. RICHARD |) | |
| SNEDEKER, <i>Washington County Jail</i> ; |) | |
| SGT. EDWARD STRAWN, <i>Washington</i> |) | |
| <i>County Jail</i> ; NURSE CHERYL |) | |
| McGAVITT, <i>Washington County Jail, All</i> |) | |
| Individually and in their official capacities, |) | |
| Defendants. |) | |

ORDER

AND NOW, this 12th day of December, 2014, after Plaintiff, David Carl Imhoff, filed an action in the above-captioned case, and after a Motion to Dismiss in the Form of a Motion for Summary Judgment, was submitted by the Defendants, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until November 17, 2014, to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Defendants' "Motion to Dismiss in the Form of a Motion for Summary Judgment", ECF No. [17], is granted as to Plaintiff's claims for punitive damages asserted against Defendants in their official capacities. In all other respects, the Motion is denied.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if any party wishes to appeal from this Order a notice of appeal, as provided in Fed. R. App. P. 3, must be filed with the Clerk of Court, United States District Court, at 700 Grant Street, Room 3110, Pittsburgh, PA 15219, within thirty (30) days.

By the Court:

/s/Nora Barry Fischer
United States District Judge

cc: Honorable Maureen P. Kelly
United States Magistrate Judge

David Carl Imhoff
LS-8834
SCI Camp Hill
P.O. Box 200
Camp Hill, PA 17001

All Counsel of Record Via CM-ECF